

Virginia Department of State Police



Colonel W. Steven Flaherty
Superintendent

Immigration Commission Presentation: VSP



Reference Previous Commission Mtg:

Code of VA 22.1-3.1

Birth Certificate required upon admission; required notice to **local** law-enforcement agency.

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VSP Mission: To function independently, yet in support of, other law enforcement and criminal justice agencies. To enforce the traffic and criminal codes of the Commonwealth.

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U.S. Immigration & Nationality Act

- Residential status is **federal, civil** offense.
- Only U.S. Bureau of Immigration & Customs Enforcement (ICE) can deport individuals.

Immigration Commission Presentation: VSP



Code of VA 19.2-81.6:

Authority of law-enforcement officers
to arrest illegal aliens.

*Allows illegal alien to be detained by
VA law enforcement until ICE takes
custody.*

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Code of VA 19.2-81.6 Provisions:

- 1. Individual committed/committing crime.**
- 2. ICE confirms individual is in U.S. illegally.**
- 3. Individual previously convicted felon.**
- 4. Back in U.S. after previously being deported or leaving U.S.**

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Code of VA 19.2-294.2: Procedure
when aliens convicted of certain
felonies; duties of probation & parole
officer.

***VSP CCRE (Central Criminal Records
Exchange) collects & transmits
records to ICE.***

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Code of VA 19.2-294.2:

- VSP sends average of 3,800 reports bimonthly to ICE.
- To date in 2007 = 37,307 records submitted to ICE.

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ICE 287(g) Program –

U.S. Immigration & National Act

- Open to local & state law enforcement
- Memorandum of Understanding (MOU)
- 5-week training program
- Approx. 40 local & state law enforcement agencies currently participating (Including AL, FL)

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VSP and ICE 287(g) Program:

- 2004 – to train select personnel.
- “Deputize” only VSP members of multi-jurisdictional task forces...gang, drugs, & counter-terrorism.
- Go after most violent illegal predators.

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VSP and ICE 287(g) Program:

- Does allow “deputized” member to detain and do paperwork for illegal immigrant.
- “Deputized” member must still turn over illegal immigrant to ICE for custody & deportation.

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VSP Statewide Contacts:

(March 1, 2007 - November 30, 2007)

- **105 reported VSP contacts statewide with 385 illegal immigrants.**
- **329 of 385 charged with state and federal offenses.**
- **ICE detained 305 of the 329.**



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What VSP is doing:

- Provide back up & investigative assistance to ICE in Harrisonburg & Roanoke.
- VSP & ICE interstate criminal interdiction partnerships to be expanded to NOVA.

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VSP contacted ICE 9 times in
October 2007...

- 4 instances...ICE responded with agents
- 4 instances...ICE assisting with investigation
- 1 instance...ICE unavailable



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ICE responds to VSP incidents (Oct. 2007):

- City of Portsmouth
- Prince William County
- Fauquier County
- Greenville County

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ICE assists with VSP incidents (Oct. 2007):

- Hampton Roads
- Shenandoah County
- Frederick County
- Prince George County

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ICE unavailable for VSP incident (Oct. 2007):

- **Henrico County**



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What VSP Is doing:

- **NOVA Gang Task Force...investigated and referred 444 cases involving undocumented immigrants to ICE.**
(July 2003-Present)
- **Task Force = 15 federal, state & local law enforcement agencies** (including ICE)

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What VSP Is doing:

- VSP Chesapeake Gang Unit investigator partnered with ICE Agent.
- November 2007 = 10 cases involving undocumented immigrants in...
 - Chesapeake
 - Hampton
 - Virginia Beach
 - Norfolk
 - Newport News

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What VSP is doing:

- **VA Fusion Center – statewide gang intel sharing with ICE**
- **VSP Criminal Intelligence Division (CID) – investigative leads to ICE on critical infrastructure sites and threats.**

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What VSP is doing:

- VSP aiding ICE in DMV database access for photo capabilities
- VSP & ICE NOVA-DC Internet Crimes Against Children (ICAC)



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What VSP is doing:

- Send SOR* updates to ICE on convicted sex offenders.
- Since October...ICE has apprehended 12.
- ICE seeking 4 more this week.

SOR = Virginia Sex Offender & Crimes Against Minors Registry

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What VSP Is doing:

- **Survival Spanish Training**
- **Survival Spanish Reference Guide**
- **Minority Recruitment**



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What VSP Is doing:

- **Safe Driving Practices Video** *(In partnership with Hispanic Chamber of Commerce)*
- **Community Presentations & Safety Talks = VSP Conducted 3,314 Safety/Community Talks to 239,000+ Virginians in 2006.**

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What VSP Is doing:

- Media Outreach: PSA's, Press Releases, Interviews, Trooper Live Q-and-A



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